REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1 to 10.

Self-explanatory editorial revisions to pages 21 and 22 of the specification have been made.

The above amendment is responsive to points set forth in the Official Action.

In this regard, the amendments to claims 1, 3, 4, and 8 is supported by the disclosure at page 9, lines 11 to 13 of the specification.

The significance of the above amendment will be discussed below.

Claims 1 to 4 have been rejected under 35 U.S.C. 102(b) as being anticipated by Schopke et al. (Pharmazie, 52, 232-243, 1997).

Further, claims 5 to 7 have been rejected under 35 U.S.C. 102(b) as being anticipated in the "prior art". The medicinal properties of flavonoids is said to be well known e.g. in Wikipedia, the free encyclopedia, under Quercetin.

Claims 1 to 10 have been rejected under 35 U.S.C. 102(b) as being anticipated by Masaki et al. JP-6-197734 A (paragraphs 0002, 0003, 0009, 0410), JP-8-317762 A (paragraphs 0003, 0012, 0022, 0023, 0049), JP-9-117264 A (paragraphs 0002, 0003, 0009, 0010, 0024, 0041) and JP-2001-10963 (paragraphs 0002, 0005, 0015, 0041).

These rejections are respectfully traversed because the cited references neither disclose nor suggest the use of a soybean saponin whose group A content is 50% or more.

Claims 1 to 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over above-discussed Schopke et al. (Pharmazie, 52, 232-243, 1997).

This rejection is also respectfully traversed.

Schopke et al. (Pharmazie, 52, 232-243, 1997) discloses solubilization of a flavonoid (quercetin) by addition of various soybean saponins. However, Schopke et al. do not teach or suggest the use of a soybean saponin whose group A content is 50% or more, as discussed above.

Please refer to Example 8 of the present specification. In this Example, the solubilizing capability for solubilizing a variety of flavonoids is compared. Thus, a soybean saponin and quillaia saponin, which is often used as a surfactant, are compared. Table 8 clearly shows that

the solubilizing capability of soybean saponin used in the present invention is much higher than that of quillaia saponin (see page 22, lines 21-24).

The other references relied upon by the Official Action also do not teach or suggest use of a soybean saponin whose group A content is 50% or more, as discussed above.

For example, although JP 6-197734 A merely refers to a soybean saponin, a soybean extract is used as the soybean saponin (see paragraph 0033).

Generally, a "soybean extract" means that which is extracted from whole soybeans or defatted soybeans. The soybean saponin of such an extract is mainly composed of group B saponin.

Further, in JP 6-197734 A, there is no teaching that a quillaia saponin is different from a soybean saponin and, rather, a quillaia saponin is specifically used (see paragraph 0015). On the other hand, in the present invention, a soybean saponin whose group A saponin content is 50% or more is used so as to solubilize flavonoids. This is not taught or suggested by JP 6-17734 A.

With respect to the remaining Japanese references, the situation is the same.

For the foregoing reasons, it is apparent that the rejections on prior art are untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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